

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RACHAEL LIU, *Individually and On Behalf
of All Others Similarly Situated,*

Plaintiff,
-against-

ICONOCLAST FITNESS, INC. and NGO
OKAFOR,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/24/2024

23-cv-525 (MKV)

ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter, filed by defense counsel, stating that the parties have reached a settlement in principle [ECF No. 45]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by October 24, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: September 24, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge